

REMARKS/ARGUMENTS

Applicant hereby responds to the non-final Office Action dated July 2, 2004.

In the Office Action, claim 2 was rejected under 35 U.S.C. §112, second paragraph, as being indefinite. By the present amendment, Applicant has amended claim 2 to state that the first and second locations are located in the “coronary vasculature.” The term “coronary blood vessels” includes coronary arteries and veins that extend beneath the epicardium and into the myocardium. This amendment is believed to have overcome the stated grounds for rejection of claim 2 under 35 U.S.C. §112, second paragraph.

Also in the Office Action, claims 1-3, 9 and 16 were rejected under 35 U.S.C. §103 as being obvious over United States Patent No. 5,443,497 (Venbrux). In support of this rejection, the Examiner noted that “Applicant’s claimed steps do not prohibit the insertion of the catheter external to the vasculature.” By the present amendment, independent claim 1 has been amended to recite that the catheter body is inserted into and positioned within “the blood vessel lumen.” Thus, amended independent claim 1 is believed to clearly distinguish over Venbrux. Dependent claims 2-3, 9 and 16 incorporate the same limitations as recited in independent claim 1 and, thus, are also distinguishable over Venbrux.

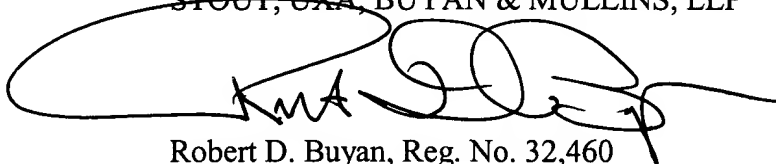
Additionally, in the Office Action, claims 1-3, 16, 18 and 19 were rejected under the doctrine of obviousness type double patenting over United States Patent No. 5,830,222 (Makower). A Terminal Disclaimer is submitted herewith to overcome this stated rejection.

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In conclusion, all grounds for rejection have been overcome and all claims 1-3, 16, 18 and 19 are in condition for allowance. Issuance of a Notice of Allowance is earnestly solicited.

Respectfully submitted,
STOUT, UXA, BUYAN & MULLINS, LLP

Date: October 4, 2004



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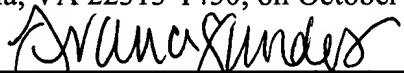
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on October 4, 2004.

Dated: October 4, 2004

By:



Francine Sanders, Assistant